

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/922,671	FURUYA ET AL.
	Examiner Matthew E. Warren	Art Unit 2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the Amendment filed on March 11, 2004.
2.  The allowed claim(s) is/are 22-46, 52-58, 60 and 61.
3.  The drawings filed on 07 August 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

*TOM THOMAS*  
TOM THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2000

### **DETAILED ACTION**

This Office Action is in response to the Amendment filed on March 11, 2004.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Fogarty on June 7, 2004.

The application has been amended as follows:

In claim 24, line 1, delete "Claims 22 or 23" and insert -- Claim 22 -- .

In claim 25, line 1, delete "any one of Claims 22 to 24" and insert -- Claim 22 -- .

In claim 26, line 1, delete "any one of Claims 22 to 25" and insert -- Claim 22 -- .

In claim 28, line 4, delete "any one of Claims 22 to 26" and insert -- Claim 22 -- .

In claim 29, line 4, delete "one of Claims 22 to 26" and insert -- Claim 22 -- .

In claim 30, line 4, delete "one of Claims 22 to 26" and insert -- Claim 22 -- .

In claim 31, line 4, delete "Claims 22 to 26" and insert -- Claim 22 -- .

In claim 32, line 4, delete "one of Claims 22 to 26" and insert -- Claim 22 -- .

In claim 33, line 4, delete "one of Claims 22 to 26" and insert -- Claim 22 -- .

In claim 38, line 1, delete "any one of Claims 34 to 37" and insert -- Claim 34 -- .

In claim 39, line 1, delete "any one of Claims 34 to 37" and insert -- Claim 34 -- .

In claim 40, line 3, delete "any one of Claims 34 to 37" and insert -- Claim 34 -- .

Cancel claim 59.

Amend claim 56 as follows:

A CMOS basic cell comprising:

an N-channel transistor and, a P-channel transistor on a semiconductor substrate;

an interconnect pattern which is disposed between said N-channel transistor and said P-channel transistor;

wherein said interconnect pattern is isolated from said N-channel transistor and said P-channel transistor;

wherein said interconnect pattern is formed in an uppermost interconnect layer of said CMOS basic cell, and

wherein said N-channel transistor and said P-channel transistor have a plurality of electrodes, and each electrode coupled to said N-channel transistor and said P-channel transistor is coupled to the uppermost layer of said CMOS basic cell via an interconnect [.] .

wherein said interconnect pattern is only capable of being coupled to said N-channel transistor or said P-channel transistor by utilizing an interconnect pattern which is disposed in an interconnect layer located above said uppermost layer of said CMOS basic cell.

***Allowable Subject Matter***

Claims 22-46, 52-58, 60, and 61 are allowed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Warren whose telephone number is (571) 272-1737. The examiner can normally be reached on Mon-Thurs, and alternating Fri, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (571) 272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2815

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MEW  
*meaw*  
June 7, 2004

*Tom Thomas*  
TOM THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800